

III. SUMMARY OF AMENDMENTS AND REMARKS

The applicant has reviewed the Examiner's Communication of October 28, 2003 and has addressed the form of claim amendment by submission, herein, of all claims with indication of the status of each claim in accordance with USPTO Claim Amendment format requirements.

The Examiner's attention is specifically drawn to the Examiner's Communication of October 30, 2003 at paragraph 4. E. Your applicant's Response of October 3, 2003, demonstrates that it was not intended to cancel most claims. Your applicant submitted a Substitute Application and a MARKUP Substitute Application as well as a Response. Your applicant submits that the claim amendments with this Response to the October 28, 2003 Examiner's Communication is in accord with the intent of the October 3, 2003 Response.

Accordingly your applicant requests the Examiner to receive the Claim Amendments submitted herewith and to continue prosecution of this application.

Respectfully submitted,

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CERTIFICATE OF TRANSMISSION:

The undersigned hereby certifies that this correspondence is being facsimile transmitted to Examiner F. L. EVANS, Telephone 703-308-4805, ART UNIT 2877 at the Patent and Trademark Office Fax No. (703) 872-9306 on November 21, 2003.

Signature
Floyd E. Ivey

Certification of facsimile filing
on November 21, 2003 by Floyd E. Ivey.

Application No. 09/804,613

Floyd E. Ivey USPTO 35552,

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By: Client (Berkley Instruments) (patent) (Neural) (trans) (CIP, NTR) (Response) (3100) (CIP, response) (112) (62) (103) (Non-Compliant Amendment) (FINAL) (31) (123) (JPD)